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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,566	03/08/2007	Takashi Furui	1163-0559PUS1	5969

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EXAMINER	
ARTHUR JEANGLAUDE, GERTRUDE	

ART UNIT	PAPER NUMBER
3661	

NOTIFICATION DATE	DELIVERY MODE
07/16/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/580,566

Applicant(s)

FURUI, TAKASHI

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/26/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/21/07, 5/26/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the phrase "the AND of the output signal" in line 22 is unclear.

In claim 2, the phrase "for obtaining the AND" of the output signal is unclear.

In claim 7, the phrase "by the AND of the output signal" in line 22 is unclear.

In claim 9, the phrase "for obtaining the AND" of the output signal is unclear

Claims 1, 7 recite the limitation "the output signal" in lines 9, 13, 16, 22. There is insufficient antecedent basis for this limitation in the claim.

Claims 1, 7 recite the limitation "the activation means" in line 21. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the activating means" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the output signal of the signal processing means" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "**the output signal** of the first safety determining means and **the output signal** of the collision determining means" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "**the output signal** of the first safety determining means and **the output signal** of the collision determining means" in lines 3,4, 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "**the output signal** of the second safety determining means and **the output signal** of the collision determining means" "**the output signal** of the first safety determining means" in lines 3-7. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the activating means" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "**the output signal** of the first safety determining means and **the output signal** of the collision determining means" "**the output signal** of the second safety determining means" in lines 3-7. There is insufficient antecedent basis for this limitation in the claim.

Claim 11-12 recites the limitation "**the output signal** of the first safety determining means and **the output signal** of the collision determining means" "**the output signal** of the second safety determining means" in lines 3-7. There is insufficient antecedent basis for this limitation in the claim.

Claims 2-6, 8-12 are also rejected for incorporating the deficiencies of their base claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Fendt et al.	(U.S. Patent No. 6,271,747)
Breed et al.	(U.S. Patent No. 6,782,316)
Breed et al.	(U.S. Patent No. 6,958,451)
Breed et al.	(U.S. Patent No. 6,784,379)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Gertrude A. Jeanglaude
Primary Examiner
AU 3661

gaj